

Tentative Rulings

Law & Motion and Family Law Calendar for October 14, 2009

October 8, 4:00 p.m.

Judge Janet Hilde

Department Two

To request a hearing on any matter on this calendar, you must call the Court at 530/283-6305 by 12:00 noon tomorrow, October 9. Notice of the intention to appear must also be given to all other parties. If the clerk is not notified of a party's intention to appear, there will be no hearing and the tentative ruling becomes the order of the court.

Probate – 9:00 a.m.

Case No. PR08-6416 – Conservatorship of Kelly

Tentative Ruling: **Appearance required.** The court has not received the accounting.

Case No. PR05-6281 – Conservatorship of McIsaac

Tentative Ruling: **Approved.** Conservator's first and final account and report and allowance of fees and discharge of conservator is approved.

Case No. PR6388 – Conservatorship of Smith

Tentative Ruling: **Appearance required.**

Case No. PR09-00026 – Conservatorship of Ward

Tentative Ruling: **Appearance required.**

Case No. PR07-6398 – Conservatorship of White

Tentative Ruling: **Appearance required.** Conservator has not filed a proof of service for the first account and report, and the court has not received the investigator's report.

Case No. PR09-00029 – Estate of Bissell

Tentative Ruling: **Appearance required.** The court has not received the proof of publication. If proof of publication has been filed prior to the hearing, the court will grant the petition and no appearance will be required.

Case No. PR09-00011 and PR09-00006 - Guardianship of White

Tentative Ruling: **Appearance required.** The court has not received the investigator's report.

Civil – 9:30a.m.

Case No. CV09-00167 – Boynton vs. Harr

Tentative Ruling: **No appearance required.** Defendants have failed to file their answer and opposition by October 1, 2009, as stipulated in the temporary restraining order and order to show cause re preliminary injunction filed on September 3, 2009. Therefore, the court **grants** plaintiff's motion for preliminary injunction. Plaintiff's counsel is ordered to prepare the preliminary injunction.

Case No. CV07-27743 – County vs. Doerr

Tentative Ruling: **No appearance required.** The court grants plaintiff's inspection and abatement warrant.

Family Law – 10:30a.m.

Case No. FL09-00187 – Mar. of Bartos

Tentative Ruling: **Appearance required.** The court has not received the stipulation on custody and visitation and support.

Case No. FL04-25268 – Biggs vs. Ross

Tentative Ruling: **Appearance required.** The court has not received a mediation agreement.

Case No. CV09-00173 – Fambrough vs. Guess

Tentative Ruling: **No appearance required.** The court has received and reviewed both respondent's brief and petitioner's letter with regard to respondent's request for attorney fees. Code of Civil Procedure section 527.6(i), provides in an action for civil harassment, the prevailing party in any action brought under this section **may** be awarded court costs and attorney's fees, if any. Although the court denied petitioner's application for a restraining order under this section by finding the burden had not been met by the petitioner, there was an indication of inappropriate conduct by respondent, and petitioner's application was not frivolous. Therefore, the court, in its discretion, **denies** respondent's request for attorney fees.

Case No. FL08-28535 – Mar. of Godden

Tentative Ruling: **Appearance required**, pursuant to the court's minute order on September 24, 2009, unless payment for the minor's counsel has been made by the parties prior to October 14, 2009.

Case No. FL06-26938 – Mar. of Goni

Tentative Ruling: **Appearance required**. The court has signed the custody and visitation agreement. This matter is also on for a review hearing to verify if the roof on the residence has been repaired. If counsel stipulates that the hearing is not necessary, this matter can be taken off calendar.

Case No. FL09-00170 – Lunsford vs. Borders

Tentative Ruling: **Appearance required**. The court will set this matter for trial.

Case No. FL09-00110 - Merino vs. Wills

Tentative Ruling: **Appearance required**. The court will hear the results of mediation.

Case No. FL09-00178 – Mar. of Robertson

Tentative Ruling: **No appearance required**. Based on petitioner's motion and respondent's response, the court orders respondent to pay petitioner temporary spousal support in the amount of \$1,065 per month, beginning August 1, 2009. The court also grants petitioner's request for the equal division of assets and debts. Petitioner is to prepare the Findings and Order after Hearing.

Case No. FL98-19686 – Serra vs. Corey

Tentative Ruling: **Appearance required**. If the court has received a stipulated judgment or dismissal prior to the hearing, the matter will go off calendar.

Case No. FL09-00244 – Mar. of Stokes

Tentative Ruling: **No appearance required**. The court has signed the custody and visitation agreement.

CASE MANAGEMENT CONFERENCE TENTATIVE RULINGS

Case No. CV09-00039 – Freedman vs. Villa

Tentative Ruling: **Appearance required.**

Case No. CV09-00084 – Plumas Bank vs. Grimmett

Tentative Ruling: **Appearance required.** The court will set this matter for a prove-up hearing.

Case No. CV08-28250 – Wade vs. Williams

Tentative Ruling: **Appearance required.** The court will hear the results of mediation.

Case no. CV08-28271 – Williams vs. Wade

Tentative Ruling: **Appearance required.** The court will hear the results of mediation.

Case no. CV04-25326 – Ball vs. County

Tentative Ruling: **Appearance required.** The court will discuss the status of the case.

Case No. LC08-00111 – Interinsurance Exchange vs. McElroy

Tentative Ruling: **No appearance required.** The court discharges the order to show cause for failure to appear and continues the case management conference to November 23, 2009, at 2:00p.m. to allow counsel time to prepare and file the default judgment documents.

Case No. CV09-00038 – McGrew vs. Rezenberger

Tentative Ruling: **Appearance required.** The parties should be prepared to discuss ADR options.

Case No. CV06-26517 – Mero vs. Gardner

Tentative Ruling: **Appearance required.**

Case No. CV08-38464 - PG&E v. Easley

Tentative Ruling: **Appearance required.**